such guardian, who when appointed shall be entitled to have the care and custody of the said children, or of any of them during their minority, in the place of their mother; and in making such appointment the Court shall be guided, so far as may be, by the laws and the rules in force touching the guardianship of children who have neither father nor mother:

Provided that, when the said children have not property of their own sufficient for their support and proper education whilst minors, no such appointment shall be made otherwise than with the consent of the mother unless the proposed guardian shall have given security for the support and proper education of the children whilst minors.

MIRZA M. ISMAIL,
Dewan.

Order No. P. 310—*Legis.* 6-38-1—*dated Bangalore, the* 15*th July* 1938.

Ordered that the accompanying Act further to amend the Code of Civil Procedure which received the assent of His Highness the Maharaja, on the eighth day of July 1938, be published as Act No. XIII of 1938, in the *Mysore Gazette*, for general information.

By Order,
C. SUBRAHMANYA AIYAR,
Offg. *Secretary to Government, General Department.*

ACT No. XIII OF 1938.

(Received the assent of His Highness the Maharaja on the Eighth day of July 1938.)

An Act further to amend the Code of Civil Procedure, 1911 for certain purposes.

Whereas it is expedient further to amend the Code of Civil Procedure, 1911, for the purposes hereinafter appearing; it is hereby enacted as follows:—

1. This Act may be called the Code of Civil Procedure (Amendment) Act, 1938. Short title.

Amendment of section 60, Act III of 1911.

2. In the proviso to sub-section (1) of section 60 of the Code of Civil Procedure, 1911.—

(*a*) for clauses (*h*) and (*i*), the following clauses shall be substituted, namely :—

"(*h*) the wages of labourers and domestic servants, whether payable in money or in kind; and salary, to the extent of the first fifty rupees and one-half the remainder of such salary ;

(*i*) the salary of any public officer or of any servant of a railway company or local authority to the extent of the first fifty rupees and one half the remainder of such salary :

Provided that, where the whole or any part of the portion of such salary liable to attachment has been under attachment, whether continuously or intermittently for a total period of twenty-four months, such portion shall be exempt from attachment until the expiry of a further period of twelve months and where such attachment has been made in execution of one and the same decree, shall be finally exempt from attachment in execution of that decree ;"

(*b*) for clause (*k*), the following clause shall be substituted, namely :—

(*k*) any allowance forming part of the emoluments of any public officer or of any servant of a railway company or local authority which the Government may by notification in the Official Gazette declare to be exempt from attachment, and any subsistence grant or allowance made to any such officer or servant while under suspension."

(*c*) The *Explanation* at the end shall be renumbered as *Explanation* 1 and to the *Explanation* so renumbered the following words shall be added, namely :—

"and in the case of salary other than salary of a public officer or a servant of a railway company or local authority the attachable portion thereof is exempt from attachment until it is actually payable," and

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(*d*) after the *Explanation* as so renumbered the following *Explanation* shall be added, namely:—

"*Explanation* 2.—In clauses (*h*) and (*i*), 'salary' means the total monthly emoluments, excluding any allowance declared exempt from attachment under the provisions of clause (*k*) derived by a person from his employment whether on duty or on leave."

Retrospective effect.

3. The amendments made by section 2 shall not have effect in respect of any proceedings arising out of any suit instituted before the first day of July nineteen hundred and thirty-eight.

MIRZA M. ISMAIL,
Dewan.

Order No. P. 311—*Legis.* 7-38-1, *dated Bangalore, 15th July* 1938.

Ordered that the accompanying Act further to amend the Mysore Village Panchayet Act which received the assent of His Highness the Maharaja, on the eighth day of July 1938, be published as Act No. XIV of 1938 in the *Mysore Gazette*, for general information.

By Order,
C. SUBRAHMANYA AIYAR,
Offg. *Secretary to Government, General Department.*

ACT No. XIV OF 1938.

(Received the assent of His Highness the Maharaja on the Eighth day of July 1938.)

An Act further to amend the Mysore Village Panchayet Act, 1926.

Whereas it is expedient further to amend the Mysore Village Panchayet Act, 1926; it is hereby enacted as follows:—

1. This Act may be called the Mysore Village Panchayet (Amendment) Act, 1938.

2. For Section 36, the following section shall be substituted :—

"36. (1) In every Panchayet, the Amildar shall assess and recover in the manner prescribed, a tax on all houses, shops or places of trade or business, vacant sites, hittals, and carts in the village or villages within its jurisdiction.

(2) The rates of such taxes shall be determined by the Panchayet and shall not exceed the maxima that may be prescribed.

(3) It shall be competent to the Amildar to make provision for exemptions in favour of individuals or a class of individuals, subject to such rules as may be prescribed in this behalf."

3. To section 37, the following sub-clause shall be added :

"(3) The Amildar shall assess and recover any such tax, cess, rate or fee."

4. For section 40, the following section shall be substituted :—

"40 (1) The amount of taxes, fees or other dues shall be paid in such manner as may be prescribed and, in case of default of such payment, shall be recovered by the Amildar as an arrear of land revenue.

(2) Nothing herein contained shall preclude the institution by the Amildar of a suit for any amount due under this Act.

(3) No proceedings shall be taken under sub-section (1) more than six years after the amount became due."

MIRZA M. ISMAIL,
Dewan.

No. T. 213—*R. T.* 38-36-34, *dated Bangalore,*
20*th July* 1938.

In exercise of the powers conferred on them by Section 11 of the Mysore Motor Vehicles Act 1928, the Government of His Highness the Maharaja of Mysore are pleased to issue the following rule to the Mysore Motor Vehicles Rules 1924, as amended from time to time, the draft in the said behalf having already been published with